

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:
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INVITATION TO PAY ADDITIONAL FEES

(PCT Article 17(3)(a) and Rule 40.1)

		Date of mailing (day/month/year) 28/07/1997
Applicant's or agent's file reference N.72646A SMW	PAYMENT DUE within 30 M WEEKS /days from the above date of mailing	
International application No. PCT/EP 97/01446	International filing date (day/month/year) 21/03/1997	
Applicant GIST-BROCADES B.V. ET AL.		

1. This International Searching Authority

- (i) considers that there are 2 (number of) inventions claimed in the international application covered by the claims indicated ~~below~~ on the extra sheet:

and it considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated ~~below~~ on the extra sheet:

- (ii) has carried out a partial international search (see Annex) will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.:

1-26, 34-36

- (iii) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid

2. The applicant is hereby invited, within the time limit indicated above, to pay the amount indicated below:

Dem 2.200,- x 1 = Dem 2.200,-
Fee per additional invention number of additional inventions total amount of additional fees

The applicant is informed that, according to Rule 40.2(c), the payment of any additional fee may be made under protest, i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.

3. Claim(s) Nos. _____ have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer <i>Monika Schmitz</i>
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GB1466853 discloses extraction of a constituent of fine powder of natural origin - esp. oil from yeast by making flocks of granules . These flocks or chips are dried to 5-10% moisture . They are extracted and high oil yields are possible. (see page 1 ,line 75 - page 3 end)

FR2210662 discloses the extraction of lipids of granulated microorganisms .The initial biomass is granulated . The granulation mixture is dried until 5% moist content . Extraction is done on granules . (see page 1 lines 9-16 , page 4, line 19 - page 5, line 11)

DD150627 discloses turbulent layer-dried biomass granule recovery that is solvent extracted . Water or steam is supplied until the water content of the granulate is 10-20% . Granulates of microorganisms can also be dried in a fluidized bed until 5 % dry weight . The granulates are extracted . (See page 2 paragraph 4 - page 4 line 6, examples 1-3)

US4056638 discloses fungal mass that has been extruded whereby a product containing from 30-70 weight percent solids that can be further dried to reduce moisture content below 10 % is obtained . (see abstract example 1,2 , claim 1)

In view of the prior art , two problems of underlying application can be defined .

The first problem is providing a further process for the isolation of compounds from microbial biomasses . The solution to this problem is the provision of an isolation process comprising obtaining a microbial biomass with a dry matter content from 25%-80% , granulating these particles ,drying the the granules to a dry matter content of at least 80% , followed by purification , extraction or isolation of the compound .

The second problem is to provide further microbial biomass extrudates or granulates .

The solution to this problem is the provision of fungal extrudates or microbial granulates from 30-70 % dry weight or with at least 80 % dry weight .

In view of the fact that isolation of compounds from microbial biomasses ,the isolation comprising granulating a microbial biomass , drying the granules followed by isolation of the compound have been disclosed in the prior art , in view of the facts that fungal extruded compositions and biomass granular compositions with at least 80 % average dry weight have been described in the prior art , due to the essential difference between problem 1 and 2 , due to the fact that no other technical features can be distinguished which, in the light of the prior art, could be regarded as special technical features, the International searching authority is of the opinion that there is no single inventive concept underlying the plurality of claimed inventions of the present application in the sense of Rule 13.1 PCT . Consequently there is a lack of unity and the different inventions, not belonging to a common inventive concept , are formulated as the different subjects on the communication pursuant to Art. 17(3) (a) PCT .

FURTHER INFORMATION CONTINUED FROM PCT/ISA/206

Searched :

Invention 1: claims 1-26 , 34-36

processes for the isolation of compounds from a microbial biomass ,the process comprising obtaining a biomass with a dry matter content from 25%-80% , granulating these particles with a dry matter content from 25%-80% , drying the the granules to a dry matter content of at least 80% , purification , extraction or isolation of the compound and use of the extracted compounds in food or cosmetic/pharmaceutical compositions .

Not searched :

Invention 2: claims 27-33

Microbial extrudates or microbial biomass granular compositions having an average of 30-70% dry matter- or at least 80% dry matter